WP(C) 3515/2005
BEFORE
THE HON'BLE MR. JUSTICE AMITAVA ROY
THE HON'BLE MR. JUSTICE P.K. SAIKIA

(Amitava Roy,J)

Heard Mr. N. Dutta, learned Senior counsel for the petitioners, Ms. M. Hazarika, learned Standing Counsel, G.M.D.A. assisted by Ms. A. Ajitsaria, Advocate and Mr. J. Roy, learned counsel for Respondent No.3.

The learned Sr. Counsel for the petitioners with regard to the factual background of the present lis has submitted with reference to the No Objection certificates dated 08.10.2003 and 19.10.2004 granted by the GMDA that the petitioners presently intend to complete the constructions in terms thereof and to facilitate the same, seeks to apply to the said statutory body for appropriate extension of time originally granted by these certificates. According to Mr. Dutta, though, the petitioner No.2 on behalf of petitioner No.1 had meanwhile approached the GMDA to submit such an application, the endeavour met a lukewarm response, presumably, according to him, due to the pendency of the instant proceedings. The learned Sr. Counsel on behalf of the petitioners, has therefore, sought for the leave of this Court to file such application(s) with the GMDA.

Ms. Ajitsaria, in response has submitted that in the facts and circumstances of the case, no leave as prayed for from this court is necessary and that if the petitioners submit such application(s), the same would be considered and disposed of by the GMDA in accordance with law.

In the above view of the matter, without offering any comment on the legality or permissibility of such application(s) contemplated to be filed by the petitioners for the aforementioned purpose, we part with the observation that if so advised, they may submit the same and in that eventuality needless to say, the GMDA would dispose those in accordance with law.